

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, MARCH 28, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, March 28, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Paul J. Asher-Best, Christopher R. Lucy, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Martha Nagy, Tom Wingard, Nick Brown, Ansel Chaplin, Bill Worthington, Trudi Brazil, Steve Desroche of the Cape Codder, and Pru Sowers of the Banner. Lloyd F. Rose was absent.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the regular session of March 21, 2006 as written. Mr. Asher-Best seconded it. Vote: 3-0-1, with Mr. Lucy abstaining due to his absence.

Mr. Palmer moved to approve the minutes of the regular session of March 14, 2006 as written. Mr. Lucy seconded it. Vote: 3-0-1, with Mr. Asher-Best abstaining due to his absence.

Public Comment: None.

Cape Light Compact: Ms. Nolan told the Board that they have a new pricing agreement at 9.9 cents for electricity for all town owned buildings. This will help reduce our energy costs portion of the budget. **Mr. Asher-Best moved to approve the new agreement with the Cape Light Compact and authorize the Chair to sign it. Mr. Palmer seconded it. Vote: 4-0, unanimous.**

Seasonal Alcoholic Beverage Renewals: Ms. DuPree provided the Board with a list of the eight renewal applicants. She explained that Paparazzi did not apply for renewal; Terra Luna Restaurant has not yet done so, and the manager must sign the renewal application within the month of March, or the license cannot be renewed. She asked that they approve the renewal applications that have been properly completed, and in a separate vote, approve Terra Luna contingent upon the manager signing the renewal application by March 31st. The temporary increased resident population estimate for 2006 is 16,052. **Mr. Asher-Best moved to accept the population estimate of 16,052. Mr. Palmer seconded it. Vote: 4-0, unanimous.** Mr. Asher-Best asked about the change of d/b/a of Harbor Lights Restaurant. Ms. DuPree informed him that she had received the proper paperwork to change the d/b/a from Harbor Lights Restaurant to Noreen's Bistro. Mr. Silva will remain the manager. **Mr. Gaechter moved to renew the seasonal alcoholic beverage licenses for Adrian's Restaurant, Noreen's Bistro, Highland Links Golf Course, Jams, Central Liquors of Truro and Whitman House Restaurant. Mr. Asher-Best seconded it. Vote: 4-0, unanimous. Mr. Gaechter moved to approve contingently the renewal of license for Terra Luna Restaurant, conditionally to the renewal application being signed by March 31, 2006. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

Budget discussion: Ms. Brazil explained that the DPW truck had been removed from the operating budget and made a debt exclusion item. She estimates that the budget is still in excess of \$300k over projected revenues. The free cash figure is not in yet, so she used a conservative figure of \$450k. Ms. Nolan suggested modifying the new growth figure. Ms. Brazil gets that figure from the Assessors and thought the BOS should stick to the conservative \$140k and hope for \$180k. It appears at this point there will have to be an override of some size.

Zoning Warrant Articles: The BOS discussed the zoning articles with the Planning Board and voted as follows:

Article 28, Lot Shape: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded.**

Vote: 4-0, unanimous.

Article 29, Modification to use table: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 30, Growth management: **Mr. Gaechter moved to recommend. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 31, Endorsement of site plans: **Mr. Gaechter moved to recommend. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 32, Temporary C.O.: **Mr. Palmer moved to recommend. Mr. Lucy seconded. Vote: 4-0, unanimous.**

Article 33, Affordable rental housing district: **Mr. Asher-Best moved to recommend. Mr. Gaechter seconded. Vote: 4-0, unanimous.**

Article 34, Definition of accessory use: **Mr. Palmer moved to recommend. Mr. Gaechter seconded. Vote: 4-0, unanimous.**

Article 35, Zoning bylaw definitions: **Mr. Lucy moved to recommend. There was no second, and no action was taken.**

Article 36, Conversion of cottage colonies: **Mr. Palmer moved, because Article 36 serves to stabilize existing policy and with the understanding that Chairman Brown as well as himself will be moving toward a thorough review of condominium policy, to recommend Article 36 as written. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 37, Modification to site plan review: There was a great deal of discussion on this article. Mr. Palmer read a statement for the record: I am opposing Article 37 not because I oppose the idea of site plan review, but because I believe that expanding its reach before the process is further developed is premature. There are four specified areas of review criteria containing seventeen points. Six of these call for specific actions on the part of the proponent. Four are covered by existing regulations. And seven criteria are wholly subjective. Rather than expand the scope of the bylaw, I would encourage the Planning Board to do two things: 1. More clearly define those criteria that remain subjective in interpretation, so that proponents may know specifically what is expected of them. 2. Consider making site plan review the province of a review committee composed of representatives of all relevant regulatory boards to facilitate the review of proposals already covered in the bylaw. **Mr. Gaechter moved to recommend. Mr. Lucy seconded. Vote: 2-2, with Mr. Palmer and Mr. Lucy opposed.**

Articles 1, 2, 3: Reports and salaries of Moderator and BOS: **Mr. Gaechter moved to**

recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.

Article 7, CPA funds

Section 1, Historical Commission: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Section 2, Recreation Commission: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Section 3, Housing Authority: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Section 4, Housing Authority: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Section 5, Housing Authority: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

The Board discussed the financial articles with the Town Accountant. She has filled in some figures and changed some raise and appropriates to transfers, and vice versa. Where an amount is not yet known, the phrase "a sum of money" can be used. The BOS voted as follows:

Article 4, FY2007 Omnibus budget appropriation: **Mr. Gaechter moved to recommend with the proviso that the \$185k stabilization amount will be modified to keep the stabilization at the recommended 5% level. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 5, Transfers: **Mr. Gaechter moved to recommend with the deletions of sections 2 and 3. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 6, Borrowing for CC Project: **Mr. Gaechter moved to recommend. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 8, CPA Act: **Mr. Palmer moved to recommend. Mr. Gaechter seconded. Vote: 4-0, unanimous.**

Article 9, Signage: **Mr. Gaechter moved to approve with comment. Mr. Palmer seconded it. Vote: 3-1, with Mr. Lucy opposed.**

Article 10, Increase legal funds: **Mr. Gaechter moved to recommend with changes. Mr. Palmer seconded it. Vote: 4-0, unanimous.** (It will be a transfer from Golf Course Receipts).

Article 11, Deferred taxes for seniors: Mr. Asher-Best recommended inserting "will adopt Ch. 136 of the Acts of 2005". **Mr. Asher-Best moved to recommend the amended article. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 12, Beach parking: **Mr. Gaechter moved to recommend. Mr. Lucy seconded. Vote: 4-0, unanimous.**

Article 13, Hours and salary of COA Director: The BOS pointed out a typo and removed the first line of the comment. **Mr. Gaechter moved to recommend as amended. Mr. Palmer seconded it. Vote: 4-0, unanimous.**

Article 14, Change compensation of Plumbing/Gas Inspector: **Mr. Gaechter moved to recommend. Mr. Lucy seconded. Vote: 4-0, unanimous.**

Article 15, Increase salary of Library Assistants: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded it. Vote: 4-0, unanimous.**

Article 16, Raise salary of Library Director: **Mr. Gaechter moved to recommend. Mr.**

Palmer seconded it. Vote: 4-0, unanimous.

Article 17, State Highway assistance aid: **Mr. Gaechter moved to recommend with the insertion of the figure \$105,057.00. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 18, Moses Way, N. Union Field road layout: **Mr. Gaechter moved to recommend as amended. Mr. Palmer seconded. Vote: 4-0, unanimous.** (The word transfer was removed).

Article 19, Support Lower Cape/Outer Cape Coalition: **Mr. Gaechter moved to recommend. Mr. Asher-Best seconded. Vote: 0-4, unanimously failed.**

Article 20, Amend Personnel bylaw: **Mr. Gaechter moved to recommend. Mr. Lucy seconded. Vote: 4-0, unanimous.**

Article 21, Wampanoag Tribe petition: **The vote on this was deferred.**

Article 22, Amend Charter: **Mr. Gaechter moved to recommend. Mr. Lucy seconded. Vote: 4-0, unanimous.**

Article 23, Revise Personnel bylaw: A small language change was made, and the comment was revised. **Mr. Gaechter moved to recommend as revised. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 24, Conservation bylaw: **Mr. Palmer moved to recommend. Mr. Asher-Best seconded.** Mr. Lucy questioned if maps would be available or if maps would be referenced. Mr. Gaechter directed Ms. Nolan to see if the ConsCom want to come in next week. **Mr. Palmer amended his motion to make their recommendation contingent upon further discussion with ConsCom. Mr. Asher-Best seconded. Vote: 4-0, unanimous.**

Article 25, BOH, Intermunicipal agreement: **Mr. Gaechter moved to recommend. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 26, Deed land to Housing Authority: **Mr. Gaechter moved to recommend. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Article 27, Cape Care Universal Health care proposal: **Mr. Palmer moved to approve. Mr. Palmer seconded. Vote: 4-0, unanimous.**

Town Administrator's Report: (action items)

- Reported that she placed the ad for a new Assistant Town Administrator. Mr. Asher-Best questioned the /Planner in the heading of the ad. Mr. Gaechter directed her to look at the article of town meeting where the position was passed.
- Invitation received to Senator Kerry's procurement and business exposition. Mr. Gaechter directed the Town Administrator to send a copy to the Chamber of Commerce.
- Invitation received to the Harvard School of Public Health's emergency preparedness program. Mr. Gaechter said it should be mandatory that someone attend this. Ms. Nolan will make sure someone does.

Selectmen/Liaison Reports: (action items)

None of the reports required action.

Next week's agenda: liquor license hearing, condo conversion application, agreement w/NPS, Road Race, Cardinal's night, reply to Brewster BOS, request for use of beach, proclamation for tele-communicators, interview applicant to serve, finish ATM warrant.

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Mr. Gaechter wished John Sanguinet well in his new position in Billerica. He commented that John had come in at a tough time after Mr. Breault left, and had ably filled his shoes. He expressed the Board's gratitude for the time John has given to Truro.

Other business: none.

At 9:15 p.m. Mr. Gaechter moved to adjourn. Mr. Lucy seconded. Vote: 4-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Paul Asher-Best, Clerk

Christopher R. Lucy

Board of Selectmen
Town of Truro

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